

No. 18-5612

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IN THE SUPREME COURT OF THE UNITED STATES

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DETRICK C. SMITH, PETITIONER

v.

UNITED STATES OF AMERICA

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ON PETITION FOR A WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

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MEMORANDUM FOR THE UNITED STATES

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Petitioner contends that his prior conviction for armed robbery, in violation of Fla. Stat. § 812.13 (1991), was not a conviction for a “violent felony” under the elements clause of the Armed Career Criminal Act of 1984, 18 U.S.C. 924(e) (2) (B) (i). The Court is currently considering a related question in Stokeling v. United States, cert. granted, No. 17-5554 (oral argument heard Oct. 9, 2018). The petition for a writ of certiorari should therefore be held pending the Court’s decision in Stokeling and then disposed of as appropriate in light of that decision.\*

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\* The government waives any further response to the petition for a writ of certiorari unless this Court requests otherwise.

Respectfully submitted.

NOEL J. FRANCISCO  
Solicitor General

OCTOBER 2018